

REMARKS/ARGUMENTS

Applicant thanks the Examiner for his careful review of this application. Claims 1-12 and 37 have been rejected. Claims 5, 11, and 37 have been canceled. Claims 1, 6, 7, and 12 have been amended. Applicant respectfully requests reconsideration of the application in view of the above amendments and the following remarks submitted in support thereof.

Anticipation Rejections under 35 U.S.C. §102(a) / Obviousness Rejections under 35 U.S.C. §103(a)

The Examiner has rejected claims 1, 6-7, and 12 under 35 U.S.C. §102(a) as being anticipated by admitted prior art (APA). Furthermore, the Examiner has rejected claims 2-4 and 8-10 under 35 U.S.C. §103(a) as being unpatentable over APA in view of Ullas Gargi et al., Performance Characterization of Video-Shot-Change Detection Methods, IEEE Transactions on Circuits and Systems for Video Technology, Volume 10, February, 2000. As will be fully explained below, APA fails to identically disclose each and every feature specified in claims 1, 6-7, and 12, and the combination of APA in view of Gargi et al. does not raise a prima facie case of obviousness against claims 2-4 and 8-10.

Although the Applicant believes that the original pending claims are defined over the prior art of record, as suggested by the Examiner during a telephonic interview on March 9, 2005 and Advisory Action mailed March 15, 2005, the Applicant has amended the original independent claims to clarify that a candidate frame is marked as a scene change when metrics of successive ones of each of a first plurality of frames differ from one another by less than a second threshold, and when metrics of each frame of a second plurality of frames are larger than a third threshold. As discussed previously, neither APA nor Gargi et al. teach or suggest further determining the metrics of frames successively preceding the candidate frame, as defined in amended independent claims 1 and 7. For detailed explanations on the

anticipation and obviousness rejections, the Applicant directs the Examiner to the previously submitted remarks/arguments in the amendment mailed February 22, 2005. Accordingly, the Applicant respectfully requests the Examiner to withdraw the 35 U.S.C. § 102(a) and 35 U.S.C. §103(a) rejections.

Conclusion

In view of the foregoing, the Applicant respectfully submits that all the pending claims 1-4, 6-10, and 12 are in condition for allowance. Accordingly, a Notice of Allowance is respectfully requested. If the Examiner has any questions concerning the present amendment, the Examiner is requested to contact the undersigned at (408) 774-6924. If any additional fees are due in connection with filing this amendment, the Commissioner is also authorized to charge deposit account no. 50-0805 (Order No. ROXIP235). A duplicate copy of the transmittal is enclosed for this purpose.

Respectfully submitted,
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